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THE ALBERTA MUNICIPAL



Counsellor

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CANADA'S CENTENARY NEEDS ACTION

FIRST WEEK of JUNE . . .



SILVER ANNIVERSARY SESSION: Banff School of Fine Arts on the slopes of Tunnel Mountain is again the site of the twenty-fifth refresher course for municipal officials . . . following this year the nineteenth annual course for school personnel. These chalets accommodate 50 to 80 students. (Hamly Photo)

TO MEET AGAIN AT BANFF

Financial statements and municipal accounting have been selected for special study during the twenty-fifth Annual Refresher Course in Municipal Administration at the Banff School of Fine Arts June 6, 7 and 8. J. E. Mulloy, Assistant Professor, Department of Extension, will lead groups in the study of this important subject. The municipal course completes the week, the first three days of which feature the nineteenth Annual Short Course in School Administration. Popularity of both courses is said to be growing year by year and programs for each are going forward in the mail to municipal and school officials in all parts of the Province.

The Municipal Administration course is sponsored by the Alberta Association of Municipal District Secretary-Treasurers and the Urban Secretary-Treasurer's Association with assistance from the Department (To Page 7)

ANNUAL LETTER FROM DEPUTY MINISTER GIVES

OUTLINE OF 1963 LEGISLATION

Fifteen new Acts of special interest to Alberta's local authorities are outlined this year in a letter from A. W. Morrison, Deputy Minister of Municipal Affairs, mailed to secretary-treasurers in April. The changes were approved during the last session of Alberta Legislature.

Most voluminous are amendments to The Assessment Act, The Municipal District Act and The Town and Village Act. New Acts which should receive widespread approval among municipal people and the public generally include The Farm Purchase Credit Act, The Planning Act, The Surface Reclamation Act and The Welfare Homes Act. (To Page 4)

MAGIC BUTTON "NO": ELBOW GREASE "SI"

NATIONAL COUNCIL CRITICAL

Greater initiative on the part of all municipal governments in formulating plans to celebrate the one hundredth anniversary of Confederation was urged by Eric Beecroft during the third annual meeting of the Canadian Centenary Council held recently in Montreal. Representing the Canadian Federation of Mayors and Municipalities, Mr. Beecroft made a strong plea for higher priorities in the financing of local and provincial programs.

Those attending the meeting from Alberta included Deputy Provincial Secretary E. R. Hughes, under whose department Alberta's centennial plans are being co-ordinated, and John Holgerson of the Department of Municipal Affairs, who is chairman of the Edmonton Civic Centennial Council.

Lack of action in many parts of Canada toward the formulation of plans was criticized in a meeting of the full council. John Fisher, Commissioner of the National Centennial Administration, felt too many people, organizations and governments were "waiting for someone to push a magic button". He told delegates his office is now receiving applications from provinces under the one-third cost-sharing agreement set up in 1961. The agreement provides that national grants not exceeding \$1 per capita will be made where provincial and local governments assume similar shares. Under these circumstances, he said, "elbow grease and local enthusiasm will be all that is needed for many successful local projects".

During a workshop discussion of the role of municipalities in celebrating Canada's first 100 years, Mr. Beecroft called for a close working relationship between them and provincial governments. The meeting agreed upon the importance of planning and suggested emphasis should be placed on community development involving housing and urban renewal, the building of parks and local facilities needed for recreational as well as cultural development. (To Page 7)

. . . LAST WEEK of April



FIRST ANNUAL CONFERENCE: Hon. A. J. Hooke, Minister of Municipal Affairs, welcomes members of Improvement District Advisory Committees to their first annual conference April 22 and 23. A. R. Isbister, Field Service Director, acted as chairman. A. W. Morrison, Deputy Minister, and D. R. Watson, Secretary-Accountant (right) also addressed the meeting. (More pictures on page 8)

THE SECOND PAGE . . .

PIPPA'S SONG

The year's at the spring
And day's at the morn;
Morning's at seven;
The hillside's dew - pearled.
The lark's on the wing;
The snail's on the thorn;
God's in His heaven -
All's right with the world.

o Robert Browning

AFTER THAT . . . A WARNING!

Word comes to us that fast-talking salesmen have been doing rather well (in an illegal way) for themselves in some of our Alberta centers. It seems these chaps have been breezing into town, making their pitch to the councils, later collecting substantial amounts of cash from local merchants on the strength of an agreement with the council, and breezing out again before too many know exactly what has been going on.

Posing as reputable entrepreneurs, these shysters somehow obtain some form of tacit approval for their scheme from the council or the secretary-treasurer which they use as a door-opener to the business men. In other words, town or village officials are being used to inspire confidence in the gyp-deal that follows.

It's now more than fifty years since we first tried laboriously to imitate the flowing script on the line above which assured us that "Honesty is the Best Policy". We believed it then and still do; but obviously not everyone has had the same experience.

We suspect the officials in question were a little too trusting. Or perhaps the salesman meant well until he counted the cash on hand and decided he needed all of it. In any event, by the time the dust settle there seemed little enough to be done by way of redress.

One thing we can do now, however, and that is to warn mayors, councillors and secretary-treasurers alike that no public official should sponsor or underwrite any service or product in such a way that scalawags can use even their implied endorsement to mulct the townspeople.

We've always admired individual enterprise, but we would think when a salesman applies for a license (and this applies especially to those of itinerant habits) he should be screened with great care and endorsed if at all with extreme caution. In such matters if not in others there should be no hurried decisions. We would deem it reasonable to require of every salesman some kind of proof of good faith that his product is as represented or that the contract undertaken will indeed be carried out to the letter.

It should be a relatively simple matter to investigate the bona fides of the enterprise and if necessary to question the experience and background of the individuals concerned.

This is not to say we favor a council trying to be over-protective of the money, morals, and business enterprises of their electors. Under most circumstances a man should be prepared to take care of himself. Caveat emptor ... let the buyer beware ... has a good two-legged ring to it. But a new factor enters the game when we're led to believe in a man's integrity because he says he enjoys the confidence of a third party. This is going much too far for the buyer beware bit.

A man should be considered honest until he's proven otherwise. But disillusioning though it may be, we must realize that people come with assorted scruples. Some of them aren't too familiar with those old sayings. As youngsters, they probably never even saw a copybook.

Quizmaster: "How many successful jumps must a paratrooper make before he graduates?"
Contestant: "All of them".

THE RATEPAYER SPEAKS

Several of our readers in the past few days have pointed out that the annual general ratepayers meetings would be more successful if the basis of discussion was on the estimates for the coming year rather than on the financial statement of the past year.

The discussion on the estimates would be a glimpse into the immediate future, while the present plan of reviewing the financial statement is a second-hand glimpse of the waters that have passed under the bridge.

An annual general meeting based on a discussion of the budget for the coming year would be a guide to aldermen and a help to the ratepayers. Substantial spending in departments would have a test run in the meeting and would give ratepayers a chance of indicating their support of the expansions in the near future.

In any event, switching the operational plan of the ratepayers' annual general meeting from discussions on the past financial statement to a preview of the estimates of the future would be another nice first in civil affairs for Innisfail.
Innisfail Province

... from The CALGARY HERALD

PIQUANT PLACE NAMES

BANFF - Tourists as they travel through the Banff country - and there were an estimated 1,200,000 last year - ask many questions concerning the origin of some of the piquant place names they encounter.

The answers, in many instances, could set them dreaming about the early West and the explorers, pioneers, missionaries and railway workers who came this way.

One writer, waxing rhapsodic, declared years ago that this is "the charm of Banff where the primeval, the quaint and the legendary mingle with the modern accent to create a tableau of tremendous beauty".

Banff itself was named by Lord Strathcona, empire builder, to honor his birthplace in Scotland.

Lake Louise was originally Emerald Lake being so named by its founder, the late Tom Wilson of Banff, in 1882. Two years later Dr. G. M. Dawson, head of the Geological Survey, renamed it Lake Louise in honor of Princess Louise, wife of the Marquis of Lorne, at that time governor-general of Canada.

Kananaskis, name of village, river and lake, is a corruption of "Kin-o-ah-kis", a Cree Indian who is reported to have made a marvellous recovery from a blow from an axe.

Mount Norquay, site of the famous ski slopes, was so designated after the one-time premier of Manitoba, Hon. John Norquay, one of Banff's early visitors.

Ingilsmaldie Mountain was named by Sir George Simpson as a reminder of Ingilsmaldie Castle, the seat of the Earl of Kintmore, in Scotland.

THIS MONTH

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THE ALBERTA MUNICIPAL COUNSELLOR

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The Alberta Municipal Councillor
Department of Municipal Affairs
Edmonton, Alberta

ALBERTA LOOKS AT

THE CARE NEEDS OF THE INDIVIDUAL

A PRELIMINARY SURVEY PREPARED BY

• J. D. CAMPBELL AND MEMBERS OF

THE CUSTODIAL CARE STUDY COMMITTEE

Examination of the care needs of the individual reveals a pattern comprising three main areas; domiciliary care; custodial or personal care which requires the services of professionally trained persons. Some individuals find themselves in a position where they cannot meet their needs because they lack sufficient finances. The extent of the problem varies in degree. In our present economy a collective approach to this problem has been implemented and this approach is gradually changing. This is indicated by the undertaking on the part of central governments of all or part of the financial burden of those individuals who are classed as indigents. In the case of indigents, the Welfare arm of the collective representatives of society in the form of governments at the municipal, provincial and federal levels have assumed the financial responsibility of the individual either directly through payment for services, or indirectly by providing help to the individual so that he may provide for these needs himself.

Following the acceptance by government of financial responsibility in certain areas of service to indigents, there has been a gradual extension of financial participation by government toward the cost of services to all members of the community. This is particularly evident in the current hospitalization benefits plan in Alberta which provides for patient responsibility to the extent of the added cost entailed as a result of the individual requiring certain types of services. The residual or standby costs are assumed by the municipal, provincial and federal levels of government. This provision is extended to all residents irrespective of their financial standing.

DEVELOPMENT OF FACILITIES IN ALBERTA

With the assumption by governments of the responsibility for certain needs of the residents of the Province, the pattern which has developed in Alberta differs somewhat from the pattern which has developed in other parts of the world although the primary purpose behind the facilities provided is the same.

In assessing the pattern of development which has taken place it is necessary to consider factors which have a bearing on this development. This was particularly so in regard to the development in the Province of Alberta of facilities for hospitalization. These have been primarily intended for the provision of care which involves professional services and as a result their use has been restricted to the extent possible to those who require these professional services.

In order to understand more clearly the problems which are entailed it is advisable to examine the types of facilities which have been developed and the related characteristics of the services which are provided in each type.

Domiciliary Care

Domiciliary care represents the requirements of the individual in regard to food, clothing and living accommodation. This is a basic need irrespective of whether or not the individual is accommodated in his home or in an institution. The basic criteria representing a need for this type of care only is that an individual is able to take care of himself except for those needs which fall within the category of domiciliary.

Facilities for domiciliary care have been developed in the Province of Alberta in the form of Senior Citizens Lodges. In laying down the basic principles underlying eligibility for admission to these lodges it was indicated that the individual must be able to look after himself or to take care of his personal functions. Although this particular type of facility has been developed for the provision of domiciliary care it should be remembered that the elements of this type of care are required in regard to all individuals irrespective of where they may be located as to facility. In other words whether an individual is in a hospital, nursing home, senior citizens lodge or in his own home, this domiciliary care aspect is present.

Custodial Care

Where an individual finds himself in a position that he is unable to meet his needs in the way of personal care but requires assistance in a varying degree, the individual either must make provision for such assistance himself or be provided with it through the medium of governmental agencies. It has been indicated previously this takes place at

the present time in the case of individuals who are unable to meet the financial responsibilities of providing for the assistance which is required in the personal care area.

In this connection a problem exists where the restrictive features entailed in regard to the means test, required as a basis for welfare help, leaves a grey area where the individual financially is unable to meet his responsibilities but at the same time does not qualify for welfare assistance on the basis of the present means test. This of course raises the question as to whether or not the basis of determination of qualification for welfare assistance should be broadened to take in this particular category or whether the assistance should be provided through some avenue other than welfare agencies.

At the present time in Alberta provision is made for assisting the indigent patient. However a major drawback exists in that not all of the facilities available in the Province are satisfactory and in some instances they are not available to the degree that will enable this particular provision to work effectively.

It should be pointed out in considering the area of personal care that the individuals involved also require domiciliary care and therefore any facilities to cover this particular service must be a combined facility providing both domiciliary care and personal care. The facilities in this area would differ from those provided in the domiciliary area from the stand-point that they should make provision for the service referred to under personal care.

Professional Care

The professional care area is characterised by professional medical and professional nursing services and for present purposes refers specifically to hospital care. Admission policies which have been developed for determination of the eligibility of residents for hospital care specify a need for professional medical and professional nursing care at an intensive or semi-intensive level. Although the professional care aspect predominates, the facilities in this particular area also provide for domiciliary care and personal care of the patient. Therefore in the hospital facilities we have a combination of domiciliary, personal and professional care.

The general area of hospital care has been sub-divided as between active treatment hospital care provided by our general hospitals and auxiliary hospital care. The basis of determination as to which one of these facilities an individual is eligible for admission are primarily the intensity of professional care required and the probable length of time for which such care will be necessary. In the area of length of treatment there is a predominance of medical problems attendant to aging with the result that the term chronic illness has been tied in closely with the type of professional care given in the auxiliary hospital. (To Page 7)

The SCOPE of the STUDY

One of the major problems relating to the supply of beds in active treatment or general hospitals is the lack of alternative facilities for those who do not require professional medical attention, but who cannot for various reasons return to their homes. Senior citizens' lodges also enter the picture and experience in their operation has already indicated the need for some new type of attention and care.

Early this year an eight-member committee under the chairmanship of J. D. Campbell, Executive Director of the Alberta Hospitalization Plan, was set up to study all phases of the problem. Called for Custodial Care Study Committee, they have recently called for submissions from groups and individuals and later this year will submit a report of their findings to the Provincial Government.

The accompanying article is a penetrating analysis of the background against which the studies are being conducted. In its conclusion the article poses a series of questions to which the Custodial Care Study Committee will be seeking answers. We hope to present them to readers of The COUNSELLOR in due course.

o Ed

DEPUTY MINISTER'S LETTER OUTLINES MUNICIPAL LEGISLATION

• 15 ACTS ... NEW OR AMENDING

(From Page 1)

In his annual letter, Mr. Morrison underlines the fact that the summary is designed "to acquaint you in a general way with 1963 municipal legislation". He points out that complete information is available in the Acts themselves which may be obtained from the Queen's Printer.

The summary follows:

The Assessment Act

Section 2 is amended by providing a new clause (g1) which defines depreciation applicable to assessable machinery and equipment (see section 22 (1) (a) as meaning a loss in value attributable to any cause.

Section 2 is amended as to clause (h) by excluding from the definition of "farm buildings" a farm residence if it is situated:

- (a) on land within a town or village, or
- (b) on a lot created by a subdivision of land in any other municipality.

Section 2 is amended as to clause (i) clarifying the definition of assessable machinery and equipment insofar as tankage is concerned.

Section 2 is amended by adding a new clause (j1) to provide a definition of the word "lot" as such appears in other sections of the Act.

Section 8 is amended by adding subsection (3) which provides that the assessment of land is not to be affected by the zoning of the land for some use other than its actual use.

Section 8a is renumbered as section 8b and a new section 8a is added providing for an assessment freeze on certain lands held for development purposes.

Section 14 is amended as to clause (b) whereunder "land and improvements" held by a municipality under lease from another municipality or the Crown shall be exempt from assessment and taxation so long as the "land and improvements" are held for the use of the municipality. This section is effective December 30th, 1962.

Section 14 is amended by the addition of a new clause (w) which provides exemption from assessment and taxation of certain property used as a summer camp for children.

Section 15 is amended by advancing the completion date for property assessments in all municipalities to October 31st from December 31st.

Section 16 is amended as to subsection (1) and with respect to towns and villages, by advancing the final date for the passing of the assessment adoption by-law to August 31st in any year.

Section 16 is further amended as to subsection (2) by extending from four to six the number of consecutive years the council of a town or village may pass an assessment adoption by-law.

Section 16 is also amended as to subsection (3) whereunder the Minister of Municipal Affairs is given power to authorize the council of a town or village to pass an assessment adoption by-law in more than six consecutive years should he consider it so advisable to do.

Section 19 is amended as to subsection (1) and with respect to counties and municipal districts by advancing the final date for the passing of the assessment adoption by-law to August 31st from October 31st in any year.

Section 21 is amended as to subsections (1) and (2) whereunder the date for the completion of the duties of the assessor is advanced to October 31st from December 31st.

Section 22 is amended as to subsection (1) whereunder the final date for the reassessment of property in each year is advanced to October 31st from December 31st.

Section 26 is amended as to subsection (1) by advancing the final date for the preparation of the assessment roll by the secretary-treasurer to January 1st from February 15th in each year.

Section 28 is amended as to subsection (1) by advancing the final date for the mailing of assessment notices by the secretary-treasurer to January 1st from March 1st in any year.

Section 28 is amended as to subsection (3) by advancing the final date for the giving of notice by a purchaser as to his interest in property and right to receive an assessment slip to January 1st from March 1st in any year.

Section 30 is amended by providing a new subsection (1). The effect of this amendment is that there is now only one date before which a notice of assessment shall be published in a newspaper in general circulation in the municipality.

Section 37 is amended by providing a new subsection (3) which has the effect of clarifying the time and manner by which notice of complaint to the court of revision against a property assessment may be filed with the secretary-treasurer.

Section 55 is amended as to subsection (1) by advancing the date to October 31st from December 31st when assessable property, inadvertently omitted from the assessment roll, may be assessed by the assessor and added to the roll by the secretary-treasurer through direction from council.

Section 62 is amended as to subsection (3) by restricting from business assessment and business tax the business of "producing" live-stock or crops rather than the business of "raising" livestock or crops as was the case heretofore.

The County Act

This Act has been amended to change the title of the chairman of the county to that of reeve of the county.

A new section 16a provides for the appointment of representatives of towns and villages and rural school districts to attend the first meeting of the county council in the first year after a county has been organized in order that such representatives can enter into the discussion and determination of the rotation on the school committee.

Sections 17 and 17a have been amended to clarify the term of office of representatives of towns, villages and rural school districts on the school committee.

The Electric Power and Pipe Line Assessment Act

Section 4 has been amended to exempt from assessment under this Act any pipe in a capped or suspended gas well and every right, title and interest of the Crown in any property. Effective December 30, 1962.

Section 5, subsection (1) is amended to provide that the Chief Provincial Assessor shall prepare an assessment which will reflect the specifications and characteristics of property assessable under the Act as at July 31st of the year in which the assessment is made rather than as at December 31st.

Section 5, subsection (6) has been amended to advance the date on which the Chief Provincial Assessor shall mail assessment notices to December 15th of the year in which the assessment is made instead of February 1st of the following year.

Section 8, subsection (1) has been amended to permit the Chief Provincial Assessor to forthwith assess any property that was not assessed that should have been assessed. Such assessments shall be included in the return to the secretary-treasurer who shall place them on the assessment roll.

Section 9 has been amended to require the owner or operator of a pipe line or transmission line to transmit to the Provincial Assessor prior to October 31st, information which reflects the specifications and characteristics of works as at July 31st, for the purpose of making an assessment under this Act.

The Farm Purchase Credit Act 1963

This Act will repeal and replace The Farm Purchase Credit Act, Chapter 23, 1957. The main change is the establishment of one central farm purchase board to execute all agreements relating to the purchase and sale of farm lands and to hold title to all farm lands being purchased under the Act, in place of the numerous separate boards in various areas of the Province. Certain functions presently exercisable by the existing boards (e. g. receiving applications for assistance and considering the suitability of applicants and land) will continue to be exercised by local advisory committees in each area. This Act comes into force on August 1st, 1963.

The Libraries Act

In municipalities where the population is fifteen (Next Page)

OUTLINE of 1963 LEGISLATION

(From Page 4)

thousand or more, a new section 20 permits not more than two members of the council in addition to the mayor to be members of the board.

A new section 21a permits a council at any time and for any reason it considers proper to revoke the appointment of a member and appoint a successor.

The Municipal District Act

The definition of a "hawker" or "pedlar" and a "transient trader" in section 2 has been amended to include a person providing "services".

Section 96 has been amended to permit the holding of nomination meeting or the annual meeting upon any other day within three days before or after the usual date for holding such meetings.

Section 102 has been amended to permit the reeve or secretary-treasurer instead of the returning officer to declare the annual meeting open.

Section 234 has been amended to provide that the council does not have direction, control and management of a main or secondary highway established as such under The Public Highways Act.

Section 239 has been amended to provide that a by-law submitted to the proprietary electors for approval shall not be finally passed by the council until it has been approved by two-thirds of the proprietary electors voting thereon.

An amendment to section 248 permits the council to acquire land previously used as a military establishment for the purpose of establishing industry or commercial enterprises and section 269 has been amended to permit the sale of such land.

An amendment to section 249 permits a council to proceed in accordance with section 251 to pass a by-law to construct or acquire a building for municipal services larger than may be needed and permits the council to lease by by-law the part of the building not required for municipal purposes.

A new section 254a permits the council by by-law to enter into an agreement with the Province for the maintenance, operation and use of public work, building or campsite.

Sections 279, 287(2), 288(5), 292, 293, 323, and 349(5) are repealed.

Sections 377 and 379 have been amended to permit the borrowing to meet current expenditures and obligations of amounts not to exceed the total current levy for the year and to permit the extending or renewing of such loans during the two succeeding years. These amendments are effective January 1st, 1963.

Section 425 has been amended to permit the council by by-law to prohibit the construction or placing of buildings, shelter belts, cess-pools or disposal fields closer than one hundred feet to the centre line of any public road, highway or street.

The Municipalities Assessment and Equalization Act

Section 2 is amended as to clause (i) by broadening the definition of "rateable lands" to include special franchises and property assessed pursuant to the Electric Power and Pipe Line Assessment Act. This amendment is effective January 1st, 1963.

Section 3 is amended as to subsection (3) clearly directing inspectors of assessments as to their duties and authority.

Section 9 is amended as to subsection (1a) authorizing the Assessment Commissioner to cancel the assessment of a property made in error without being required to make a new assessment in lieu thereof.

Section 21 is amended as to subsection (1) to provide that the date for the filing of a return of assessment information with the Assessment Equalization Board by the secretary-treasurer of a municipality has been advanced to January 15th from January 31st in each year.

The Municipal and Provincial Properties Valuation Act

Sections 5 and 7 have been amended by advancing to October 31st as the date by which the valuation of the works and transmission lines of the Alberta Government Telephones and the valuation of all municipally owned and Crown owned property shall be made for the purpose of this Act.

The Planning Act

This Act repeals and replaces The Town and Rural Planning Act but generally speaking there is not too much change in the procedures to be followed.

SECRETARY'S CALENDAR

● Municipal District Act

Within 5 days after the end of each month the secretary-treasurer shall prepare a statement of monies received and their disposition, submit to council at next meeting and enter a copy in the minutes. Sec. 61(v).

June 1 - First third of School Foundation Program requisition due to the Department of Education. Sec. 304 a (5). School Act.

June 15 - Second quarter of supplementary school requisition due. (Unapproved costs). Sec. 338.

June 30 - Requisition for unapproved hospital costs to be paid on or before this date. Sec. 16. Alberta Hospital Act.

July 1 - First third of Hospital Benefits requisition due to Department of Municipal Affairs. Sec. 50. Alberta Hospital Act.

Prior to September 15th the council shall provide for holding a nomination meeting on the 1st Saturday in November. Sec. 96(1)

● Town and Village Act

Secretary-treasurer shall prepare a statement of monies and their disposition, submit to council at next meeting and enter a copy in the minutes. Sec. 67 (r).

June 1 - First third of School Foundation Program requisition due to Department of Education. Sec. 304 a (5). School Act.

June 15 - Second quarter of supplementary school requisition due. (Unapproved costs). Sec. 355.

June 30 - Requisition for unapproved hospital costs to be paid on or before this date. Sec. 16. Alberta Hospitals Act.

July 1 - First third of Hospital Benefits requisition due to Department of Municipal Affairs. Sec. 50. Alberta Hospitals Act.

July 1 - Appoint enumerators on or before this date. Sec. 112(1)

Where a development control by-law has been passed it may provide for the establishment of a development appeal board consisting of at least three persons one of whom shall be a member of the council. Appeals from the decision of this Board can be referred to the council for a final decision.

Public reserves are to be transferred to the municipality for administration and management upon the coming into force of this Act on August 1st, 1963.

Councils should obtain copies of the Act and become familiar with its provisions prior to August 1st, 1963.

The Police Act

Amendments to this Act permits the establishment of a new police force to be known as the Alberta Municipal Police which will provide a pool of trained men to police municipalities under contract.

Section 14k permits a municipality to enter into an agreement with the Attorney General for the policing of the municipality by one or more members of the force upon such terms and conditions as may be approved by the Lieutenant Governor in Council. In any such agreement a member assigned to police a municipality remains the employee of the Crown and not of the municipality.

These amendments come into force in a date to be fixed by proclamation.

The Public Highways Act

Section 9 has been amended to provide that the control and management of secondary highways is vested in the Minister of Highways.

Section 35 has been amended to provide authority to the Minister of Highways for the construction, reconstruction and maintenance of bridges and culverts in irrigation districts and to apportion the costs between the Province, the irrigation district or the local authority.

The Public Welfare Act

Section 28 has been amended to delete the power of a municipality to refuse to provide material aid to a destitute employable person who has refused to perform any unemployment relief work in the municipality.

Section 29 has been deleted and a new section 29 provides that a destitute employable person who has applied for or is in receipt of material aid may be required to give an undertaking to repay the total value of material aid provided for himself and his dependents.

The Surface Reclamation Act

The purpose of this Act is to create a Surface

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OUTLINE of 1963 LEGISLATION
(From Page 5)

Reclamation Council which will be concerned largely with reclaiming landsurface that has been used in connection with mines, quarries, oil and gas operations and pipe lines and also with the maintenance of land that has been or is being used for those purposes. The council will also be able to settle compensation for the more common types of claims that arise from mineral and pipe line operations.

Section 5 provides that each local authority may appoint one or more members to the Surface Reclamation Council but any member so appointed may act only in cases involving land in the municipality for which he is appointed but such appointee shall not be a mayor, councillor or administrator.

Section 6 provides that any inquiry that may be conducted and any decision issued must be conducted and issued by two members of the Surface Reclamation Council one of which must be the member appointed by the local authority.

This Act comes into force on June 1st, 1963.

The Town and Village Act

Section 2 has been amended to include a person supplying services in the definition of a "hawker or pedlar" and a "transient trader".

A new section 42b sets out the procedure to be followed in reducing a five man village council to three members.

Section 187 has been amended to permit the returning officer to vote if otherwise qualified and to provide that where there is a tie vote at an election the names of the candidates having an equal number of votes shall be put into a box and the name drawn first shall be declared elected.

Section 273 has been amended to permit the council by by-law to acquire military establishments from the Crown for the purpose of establishing industry and other commercial enterprises. This section has also been amended to delete the requirement that purchase of land outside the boundaries of the town or village be approved by the Lieutenant Governor in Council. Such purchases now only require the approval of the municipality in which the land is situated. If such approval cannot be obtained the matter shall be submitted to the Local Authorities Board for approval.

An amendment to section 274 permits the council by by-law to construct or acquire a building greater in size than is necessary to accommodate the municipal services and may lease that part of the building not required providing the necessary by-laws are proceeded with in the same manner as required by section 298.

A new section 279a permits the council by by-law to enter into an agreement with the Province for the maintenance, operation and use of a public work, building or campsite.

Section 280 has been amended to permit the council by by-law to spend one thousand dollars or five mills on the net total assessment, whichever is the greater, without reference to the proprietary electors for the acquisition of an airport.

An amendment to section 298 permits a council to dispose of any and all lands acquired for a specific purpose. Another amendment prohibits the Local Authorities Board from granting a certificate under this section until two months after the final passing of the by-law nor while any action or proceeding against the by-law is pending.

Section 313 has been amended to permit a council by by-law to make a grant each year to a doctor residing and practising in the town or village of an amount not to exceed one thousand dollars or five mills on the net total assessment, whichever is the greater, for a period not longer than three years.

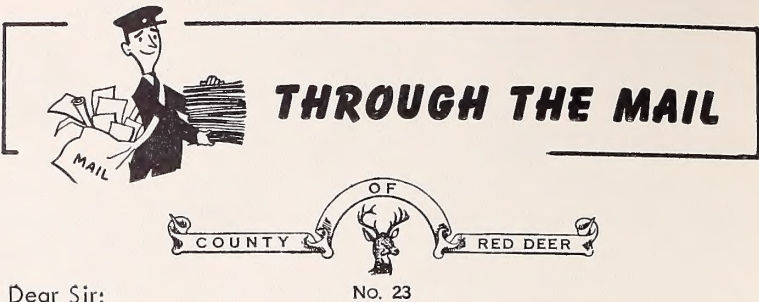
Section 317 has been amended to permit a council by by-law to buy or lease a sewerage system.

A new section 323a permits a council by by-law to authorize the issuance of building permits and to prohibit the erection of a building unless a permit has been first obtained even though a by-law has not been passed putting the provisions of the Town and Rural Planning Act into effect.

Section 329a has been amended to permit a council to license any business, trade, occupation, employment or calling carried on within the town or village whether such business premises are within the town or village or not.

Section 330 has been amended to permit the licensing of hawkers or pedlars selling services as well as merchandise.

Section 331 exempting the hawking and peddling of merchandise grown, produced or manufactured in the Province from being licensed, has been repealed.



Dear Sir:

No. 23

We notice what appears to be an error in the table of statistics relating to supervision in 1962 for Municipal Districts. The Municipal District of Red Deer No. 55 is shown as having had 5 Councillors whereas the correct number should be 7. This correction will alter the figures for "average paid per councillor", "average number of miles travelled per councillor" and "average improved mileage in M. D. supervised per councillor". It will also, perhaps change the average figures shown at the bottom of the table.

While this is not a very important matter we do feel that, since these statistics may be used in other areas and are quite often quoted by influential people, perhaps a correction should be made in the next edition of the COUNSELLOR.

Yours very truly,
J. C. Masson, Secretary-Treasurer

* * * *

● Our sincere apologies for the error. Our computer did in fact attribute five councillors instead of seven to your municipality. The correct figures on this basis should have been:

Average paid per councillor	\$1,068.33
Average miles travelled per councillor	4,036.71
Average improved mileage supervised	275.14

Thanks, Jim, for drawing this to our attention. o Ed

* * * *

Edmonton, Alberta.

Dear Sir:

Just a word of appreciation for your courtesy in forwarding the two issues of the COUNSELLOR, which will now complete my volume for the last three years.

I still derive a great deal of interest from municipal matters and read your publication literally from cover to cover. It is a lively and instructive journal and keeps a layman, such as myself, abreast of current developments in the field.

With kindest regards, as aye,

W. G. Craig, Secretary-Treasurer,
The Law Society of Alberta.

* * * *

● Students taking the Municipal Administration Course in 1960-61 will remember Mr. Craig's unfailing patience and good humor. o Ed

A new section 347a permits a town or village owning and operating a public utility to supply service to persons outside the boundaries of the town or village with the approval of the municipality in which the persons reside. Any dispute between the town or village and the municipality in regard to any construction work concerning the supplying of these services is to be referred to the Local Authorities Board.

Section 395b has been amended to permit the council with the approval of the Minister to suspend or defer for such period of time and on such terms and conditions as may be deemed proper, a special frontage or special local benefit assessment. Effective January 1st, 1963.

Section 396 has been amended to permit the council to purchase a sewer or water system or to construct street lighting as a local improvement. The council would then have authority to levy a frontage tax against the properties abutting on these systems in the same manner as other frontage taxes are levied.

Section 406 has been amended to prohibit the levying of more than one years frontage tax against abutting property until such time as the local improvement has been constructed or installed. If the local improvement has not been installed, after the first year, the levy of the frontage tax shall be suspended and deferred. Effective January 1st, 1963.

Sections 414 and 416 have been amended to permit a council to borrow by way of temporary loans an amount not exceeding the amount of taxes to be levied for the current year. Such loans may be extended and renewed at any time during the current year and during the two succeeding years if necessary. Effective January 1, next. (To Page 7)

The CARE NEEDS of the INDIVIDUAL

(From Page 3)

The auxiliary hospital is basically tied in with long term treatment. It has been referred to as a place for rehabilitation or reactivation but there are certain patients who are beyond reactivation and rehabilitation. These cases will form a portion of the population eligible in the hospital area if they carry with them the necessity of professional care even in spite of the fact that their illnesses are of a terminal nature.

BASIC PROBLEMS

The basic problems which have arisen in the care area may be said to arise from:

- (1) The difficulty of clearly differentiating the particular characteristics attributable to each type of facility. In the case of the hospital, as has been pointed out, domiciliary and personal care are provided as an adjunct to the professional care and frequently conditions do arise where, due to the lack of facilities for personal or custodial care, beds in the hospital area are utilized to provide domiciliary and custodial care. This raises the basic problem of the efficient utilization of the facilities which have been made for a particular case.

A similar situation exists in regard to the senior citizens lodges where the aging population leads to a development of a need for personal care. On the basis that the senior citizens lodge is not set up to give this particular type of care it would be logical that when people reach the point of requiring personal care they would be moved to facilities created to provide this type of care. When this step is not taken an attempt is made to provide this care in the senior citizens lodge. This is a divergence from the basic policy that an individual, to be eligible, must be able to be independent in respect to his own personal care. The process of retaining, in the senior citizens lodges, persons requiring personal care results in an increased cost and tends to place the operation of the senior citizens lodges at a cost level above that which was intended for domiciliary care alone.

- (2) The results of variations in the pattern of governmental subsidization and in the residual financial responsibility of the individual. The governmental subsidization which has been extended through pension payments and provision of the buildings and equipment enables the individual to take advantage of opportunity provided for domiciliary care in the senior citizens lodges. In the case of hospitals the basic charge placed on the individual in the form of a co-insurance charge originally was designed to approximate the out-of-pocket cost entailed in having the individual in the hospital. The subsidization is met by the municipal, provincial and federal governments in the form of meeting the additional costs which are incurred by the hospitals, both active and auxiliary in providing the hospital services required. No differentiation is made between individual residents as to the basis of subsidization.

There has been no direct provision to subsidize personal care except in the case of indigents where Welfare does make a payment to the individual in the provision of these services, if the individual passes the means test.

- (3) The lack of participation of governments in the personal care area and the apparent unwillingness or inability on the part of private enterprise to provide the facilities necessary to meet the demands which have arisen for this type of care. Various institutions operated by religious organizations and private nursing homes have developed, but some question has been raised as to whether or not certain of these facilities are capable of providing the type of personal care which is needed.

CONCLUSIONS

On a review of the situation which has been outlined, certain basic questions arise for which answers must be found. The following are some of the more significant of these questions:

- (1) Should facilities be provided in the area of personal or custodial care and if so, should the provision of the facilities and the operational costs be subsidized by governments, and to what degree should the subsidization be necessary?
- (2) Should controls be established by way of licensing to provide for what might be considered the basic necessities in this area of personal or custodial care.
- (3) If it is considered that the welfare assistance approach should be applied in meeting the problem of providing facilities and operating costs in the personal care area, to what extent should a revision be made in the existing method of determination of eligibility for subsidization and to what extent should the welfare arm

of government be called upon to control the type of services for which payment is made?

- (4) Since many of the elements of custodial care are characteristic of the care available in the home, to what extent should development be along the lines of subsidization of supplementary home care services or an organized home care program?
- (5) Since any subsidization program will entail determination of eligibility, the question arises as to the most satisfactory method of setting this up in order that uniformity of treatment might be accorded the residents of the Province of Alberta.

CANADA'S CENTENARY NEEDS ACTION

(From Page 1)

Although not many specific projects were spelled out to the Montreal meeting, it was generally agreed that mobility and exchange were key words in our national planning. For example, vans and trains holding exhibits and activities of national interest should visit all sections of Canada. Interprovincial exchange of students and the need to know Canada better were seen as being worthy of closest attention.

The Canadian Centenary Council - the private sector of the forthcoming centennial celebration - saw 1967 as Canada's greatest opportunity to strengthen the bonds of our confederation. Mr. Fisher said the importance of making the celebration a success cannot be emphasized too strongly. "If Canada did not have a centenary soon, we should invent one," he said, "The nation needs it".

TO MEET AGAIN at BANFF

(From Page 1)

of Municipal Affairs and the University of Alberta's Department of Extension. Sponsors of the School Administration course are the Alberta School Secretaries' Association and the Alberta School Trustees' Association, with from the Department of Education and the Department of Extension of the University.

Of special interest to all is the subject of an address by E. E. Wickens which is "The Local Authorities Pension Act". Mr. Wickens is secretary of the Public Service Pension Board and will answer any questions relating to the operation and benefits of this important Act.

In addition to the general review of "New Legislation and Amendments" under the direction of A. W. Morrison, Deputy Minister of Municipal Affairs, there will be a Department's Question Period for the rural section of the course. Something of an innovation, questions for this feature are to be written down and submitted to the Secretaries' Association some two weeks prior to June 7. During this same period, the urban section will hear an address by K. C. Switzer, Director of Tax Recovery.

The course will conclude Saturday morning with an address by A. M. Brownlee, Q. C., whose subject is "Bylaws - their form, substance and determination, and the responsibility for their drafting".

OUTLINE of 1963 LEGISLATION

(From Page 6)

Section 422 has been amended to provide that the debenture by-law may set out the maximum rate of interest that may be payable in place of stating the exact rate of interest applicable to the borrowing.

The Welfare Homes Act

This is a new Act to provide for the regulation and licensing of these homes and institutions under one Act to be administered by a Director of Welfare Homes. This Act replaces certain provisions of The Public Welfare Act, The Child Welfare Act and The Homes for the Aged and Inform Act Chapter 141, R.S.A. 1955. This Act becomes effective July 1st, 1963.

The VILLAGE ORDINANCE

Changes in the requirements and procedure for village incorporation were made from time to time. In 1899 the Village Ordinance was amended to permit the commissioner of public works to declare any area not over 640 acres and with not less than 15 dwellinghouses a village. In 1901 the area was increased to 1280 acres, the minimum number of required dwelling houses remaining the same. In 1907 the area was reduced to 640 acres and the number of required dwellinghouses increased to seventy-five. At the same time the office of overseer was abolished and the election of a council of three required.

o Eric Hanson's "Local Government in Alberta"

LONG IN THE SERVICE



FORMER MAYOR HONORED - Receiving a plaque commemorating his long record of service to the City of Lloydminster is Vernon Ulysses Miner. Taking part in the presentation is Mayor E. G. Hudson (left) and Mrs. Marjorie Bexson, Deputy Mayor. (Photo by Fred Baynton)

Early this year Vernon Ulysses Miner, LL.B., Q. C., was honored by the citizens of Lloydminster for his more than "forty years of unselfish and devoted service" to their city. It really began when Mr. Miner as a young lawyer first came to Lloydminster in 1922, but early town records were destroyed in the big fire of 1930 so there is nothing official relating to his municipal service prior to that date. However, he did take an active part in helping to bring about the amalgamation of the Village of Lloydminster, Alberta, and the Town of Lloydminster, Saskatchewan, in 1930 and was a member of the first amalgamated town council which followed.



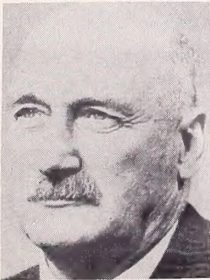
In summary, Mr. Miner served his city as mayor for 16 years, as a councillor or alderman for ten years and as town or city solicitor for seven more. His first term on council lasted until 1932 and he served again from 1933 to 1935. Elected mayor of Lloydminster in 1936 he served with distinction until 1939 and after a further term on council (1940-41) he again became mayor in 1951, remaining in the position until his retirement on December 31, 1962.

Mayor Miner is largely credited with the attainment of city status for Lloydminster in 1958. This was but one of the benchmarks of his illustrious career, for it was during his first term as mayor that Lloydminster's initial water system and storm sewer system were installed. Further highlights of his tenure of office were the paving of Lloydminster's streets, an extensive sidewalk and modernization program and the laying of a pipeline from Sandy Beach.

Mr. Miner is a native of Cobden, a small settlement near Pembroke, Ontario, but came to Saskatoon with his parents in 1916 and ... along with the young John G. Diefenbaker ... graduated with his LL.B. degree in 1919. Mr. Miner's admission to the Saskatchewan Bar took place on June 20, 1921, and he was appointed King's Counsel (now Q. C.) in 1935.

PETER MACDONALD

Peter MacDonald, a distinguished citizen of Ponoka for the past 35 years, died December 31, last, at the age of 74 years. He is survived by his wife, five daughters and 21 grandchildren.



Peter MacDonald was born and raised in Cape Breton, Nova Scotia, and received his early schooling in Sydney. He later taught school for several years and attended Dalhousie University, Halifax, leaving in 1915 to join the 85th Nova Scotia Highlanders for four years of service overseas.

Mr. MacDonald began his municipal career in 1927 when he became secretary-treasurer of Fertile Valley M. D. No. 429. In 1944 he retained his position when the district became a part of the enlarged M. D. of Ponoka No. 66 and again when it converted to the County of Ponoka No. 3 in 1952. He retired in June 1959, after thirty-two years of service.



ADVISORY COMMITTEE MEMBERS and Field Service Inspectors listen to opening addresses at their first provincial conference. Now elected in 191. D. 's, committees are gaining valuable experience in local . . .



. . . administration and provide a measure of self-government over vast sparsely-settled districts. Assistance given is greatly appreciated by the Department. (Alberta Government Photos)

QUESTIONS ANSWERED WITHOUT PREJUDICE

ACCORDING TO THE ACT

Q: How does an appeal reach the Alberta Assessment Appeal Board?

A: Section 47 (1) of The Assessment Act provides in part that:

- (1) Any person (a) who, or the assessment of whose property, is affected by a decision of a court of revision, and (b) who appeared before the court of revision in person or by agent or sent to the secretary-treasurer a document setting out in detail the grounds of his complaint,



may appeal to the Appeal Board against the decision.

(2) An assessor may appeal to the Appeal Board against a decision of a court of revision.

(3) An assessor or the complainant may appeal to the Appeal Board in respect of a complaint which a court of revision has omitted, refused or neglected to hear or decide.

Section 48 provides that an appeal pursuant to Section 47 may be made within twenty-one days after the mailing or personal service of the notice of the decision of the court of revision.

The appellant shall serve a written notice of appeal either by personal service or registered mail upon the secretary-treasurer of the municipality in which the property is situate.

Section 49 (1) provides that not later than seven days after the expiry of the time allowed for filing an appeal the secretary-treasurer shall forward to the Appeal Board a list of all notices of appeal received by him, together with the addresses of the appellants and particulars of the assessments under appeal.

It might be well to take this opportunity to urge secretary-treasurers to keep Section 49 (1) in mind.

o E. F. Breach, Chairman, Alberta Assessment Appeal Board